MULTIMEDIA UNIVERSITY

STUDENT IDENTIFICATION NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2016/2017

UJP 4612 – JURISPRUDENCE 1

(All Sections/Groups)

8 OCTOBER 2016

Reading Time : 9.00 a.m. – 9.15 a.m.

(15 Minutes)

Answering Time : 9.15 a.m. – 12.15 p.m.

(3 Hours)

INSTRUCTIONS TO STUDENTS

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes ONLY in their question paper. Students then have the remaining **THREE HOURS** in which to answer the question.
2. This Examination Paper consists of 3 Pages with 4 Questions only.
3. There two parts in this Question Paper: Part A and Part B. Question 1 from Part A is COMPULSORY and must be answered. Answer TWO QUESTIONS ONLY from Part B.
4. Students are not allowed to bring in any statute into Examination Hall.
5. Please write all your answers in the Answer Booklet provided.

PART A: THIS QUESTION MUST BE ANSWERED

QUESTON 1

Discuss the concepts stated below. For each concept support your answer with relevant illustration and argument.

(a.) 'constructive interpretation'	Ronald Dworkin (1931- 2013)	(10 marks)
(b.) 'pleasures and pains'	Jeremy Bentham (1748-1832)	(10 marks)
(c.) 'test of practical reasonableness'	John Finnis (1940- 2016)	(10 marks)
(d.) 'internal morality of law'	Lon L. Fuller (1902- 1978)	(10 marks)
(e.) 'rule of recognition'	H.L.A Hart (1907 - 1992)	(10 marks)

(Total: 50 marks)

Continued...

PART B: ANSWER TWO QUESTIONS ONLY

QUESTION 2

Discuss John Austin's 'Command Theory of Law'. Critically analyse whether they are of relevance to the Federal Constitution of Malaysia. Support your arguments with examples and illustrations.

(25 marks)

(Total: 25 marks)

QUESTION 3

Critically evaluate Hans Kelsen's concept of 'pure theory of law'. Support your arguments with examples and illustrations.

(25 marks)

(Total: 25 marks)

Continued...

QUESTION 4

Discuss Karl Marx's concepts that 'law is an instrument of oppression' and the state 'would wither away'. From your observation do you think his concepts are applicable to modern Socialist State?

(25 marks)

(Total: 25 marks)

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